

UNITED STATES DISTRICT
EASTERN DISTRICT OF NEW YORK

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U.S. DISTRICT COURT

★ SEP 22 2005

BROOKLYN OFFICE

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VERNA LINGO, Personally and as Personal
Representative of the Estate of Randel L. Lingo,
deceased, and as Guardian Ad Litem for Matthew Lingo
and Jordan Lingo,

Plaintiffs,

DEFAULT
JUDGMENT

-against-

01-Civ-4507
(LBS)(MDG)

M.B. AUTOATTREZZATURE S.R.L. and PBR
INDUSTRIES, INC.,

Defendants,

-against-

ASIGURAZIONI GENERALI S.P.A., MARE
ASIGURAZIONI, AND ASSICURAZIONI GENERALI,
S.P.A.

Third Party Defendants

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SAND, District Judge*

This Court having adopted the Report and Recommendation of the Honorable
Marilyn D. Go, United States Magistrate Judge, it is hereby **ORDERED AND**
ADJUDGED, *nun pro tunc*, to July 19, 2005, as follows:

1. Default judgment is hereby entered in favor of Third Party Plaintiff, M.B. Autoattrezzature, s.r.l., and against Third Party Defendant, Assicurazioni Generali, S.p.A.;
2. Third Party Defendant, Assicurazioni Generali, S.p.A., is hereby ordered to indemnify Defendant/Third Party Plaintiff, M.B. Autoattrezzature, s.r.l., to

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9-20-05 24

the extent of the applicable policy of insurance, and to defend against all claims asserted against Defendant/Third Party Plaintiff, M.B.

Autoattrezzature, s.r.l., by the Plaintiff;

3. Third Party Defendant, Assicurazioni Generali, S.p.A., is hereby ordered to pay to Defendant/Third Party Plaintiff M.B. Autoattrezzature, s.r.l., all reasonable attorneys' fees, costs and expenses incurred by the Defendant/Third Party Plaintiff M.B. Autoattrezzature, s.r.l., with respect to this action. Third Party Defendant, Assicurazioni Generali, S.p.A., is not responsible for fees incurred by M.B. Autoattrezzature in obtaining the default judgment. Defendant/Third Party Plaintiff M.B. Autoattrezzature, s.r.l., shall submit a declaration of legal services and related costs and expenses to this Court within 60 days hereof, and all objections to the declaration shall be submitted to this Court within 14 days of its submission.

SO ORDERED

Dated: New York, New York

September 20, 2005

s/Leonard B. Sand

Leonard B. Sand, U.S.D.J.*

Signed

by

J. Sand.

ON 9/20/05

*sitting by designation